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Bloomington

The Appeal

Issue No. 16

INDIANA UNIVERSITY SCHOOL OF LAW

April, 1971

Editorial

With this issue I retire as Editor-in-Chief of The Appeal, leaving its management in the hands of John Lobus and his capable staff. It is more than appropriate that I seize this opportunity to publicly thank those whose efforts have made possible the present quality, size, and scope of your newspaper: my staff, without exception, and especially Peggy Tuke; Professor Thorpe, our Advisor, who never meddled with our content; The Good Dean, for his support and sense of humor; the secretarial pool; and you, the reader, without whom we would merely be wasting paper.

From its humble beginnings, run off by hand in the bowels of the Law Building, to its present (albeit still humble) stature, with regular contributors and a circulation of approximately 600 copies per issue, The Appeal has emerged as an informal forum, the only published Law School cathartic, outside of the classroom, for our students, faculty, and staff.

This Editor's only regrets are that (1) more faculty participation has not been evident, and (2) that The Appeal has not yet attained "tabloid status".

I believe more faculty participation will be forthcoming once The Appeal is conceived of for what it really is—perhaps the most informal, unsophisticated publication that has ever solicited faculty work—and, hence, the most fun.

For The Appeal to be published as a tabloid will require a tireless staff (which it has) and money. A tightened budget has foreclosed one possibility for funding. No charitable alumni have yet volunteered. The short-term prospects are for a continued mimeographed format or student-faculty subscription, coupled with advertising. If the reader would invest two minutes of his time in his newspaper, by completing the questionnaire which follows and depositing it in The Appeal's mailbox (student lounge), your new staff can plan for the future accordingly.

Jay Robert Larkin

QUESTIONNAIRE

1. Does The Appeal serve a useful function? _____ If no, why not? _____

2. Would you wish to see it published monthly? _____ Bi-weekly? _____
3. Would you be willing to pay 10¢ a copy to see The Appeal in tabloid form? _____
4. Do you wish to see any changes in format? _____ If so, what are they? _____

5. Do you feel that The Appeal, a student newspaper, is accessible to you, the student, if you have any contributions? _____ If not, how can it improve?

6. Do you want more faculty involvement? _____ More student involvement? _____
7. Write any further suggestions below.

Please return this questionnaire to The Appeal mail box in the student lounge.

THE STAFF FOR 1971

Editor-in-Chief: John Lobus

Managing Editor: Jim Todderud

Associate Editors: Tom Leslie
Andrew Thompson
Tom Clancy

Contributors: Bruce Wackowski
GLAMOUR Magazine, April, 1971
Charla Wolf
Tom Shriner
Martha West

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Special Assistance and Sincerest Thanks:

Dean W.B. Harvey

The Secretarial Pool

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News:

LAW DAY MAY 1

The Student Bar Association is presenting a gala program in honor of Law Day on Saturday evening, May 1. Held at the Bloomington Country Club, the event will include a cash bar from 6 p.m. to 7, followed by a buffet dinner. After the dinner, the senior class will present the gavel award to the person whom they think has contributed the most to the law school this year, while those selected for Order of the Coif will be announced.

The SBA will present the law school with a gift of \$2,100, earned by sponsoring the closed circuit telecast of the Frazier-Ali fight. Dick Boyle will give the SBA President's Award to the senior who has contributed the most to the SBA. Headlining the event will be the Honorable Donald Hunter, a judge on the Indiana Supreme Court, who among other accomplishments authored that Court's opinion striking down Indiana's Criminal Sexual Psychopathic Person's Act.

The charge for the meal and program is only \$5.00 per person. If you are a member of the SBA, the charge is only \$3.50 per person. Tickets are on sale in the lobby of the law school.

XXXXXXXXXX

NEW FACULTY MEMBERS

Dean William B. Harvey recently announced the appointment of three new professors to the School of Law faculty effective in September, 1971. They are Roland J. Stanger, Henry J. Richardson, and Morris S. Arnold.

Both Mr. Stanger and Mr. Richardson have done extensive research and writing in the fields of international law and African law. Mr. Arnold is interested in the area of legal history and is currently doing research at the Institute of Historical Research at the University of London.

Mr. Stanger is presently a Professor of Law at Ohio State. He has also taught international law at the Naval War College and in Ethiopia from 1965 to 1967. He received his AB from the University of Michigan in 1931 and his JD from the same school in 1934. He and his wife Alexandra have three children.

Mr. Richardson is now with the African Studies Center at the UCLA Law School. He majored in history at Antioch and graduated in 1963. He received his LLB from Yale in 1966, and then spent two years as an international legal advisor to the government of Malawi before returning to UCLA to begin work on his LLM degree.

Mr. Arnold's undergraduate degree was a B.S. in electrical engineering from the University of Arkansas in 1965. He received his L.L.B. from Arkansas in 1968 and an L.L.M. from Harvard Law School in 1969. He is expecting an S.J.D. degree from Harvard at the end of this year as a result of his research at the University of London.

Dean Harvey and the faculty have not yet determined what the new professors will be teaching next year. The Appeal wishes to extend a cordial welcome to each of these new faculty members.

LEGAL SERVICES OFFICE

The Legal Services Office, recently initiated by the student government, is proving to be a valuable service to the university community. Headed by Tom Ross, a recent graduate of I.U.'s law school, the office has already handled problems of over 250 Indiana students.

Approximately 40 law school students are working under Mr. Ross, providing most of the services. Broken up into teams which staff the office on 1/2 day shifts, the law students are interviewing each student who comes to the office. If the problem cannot be solved at this stage, the interviewer will confer with the team leader, an upperclassman designated by Mr. Ross. The two law students may contact the source of the student's problem, be it a landlord, retailer, etc., to discuss the situation, or will refer it to Mr. Ross if it looks important. Therefore, he may end up considering and deciding upon only one of five cases, though ultimately he reviews them all. Presently, the office has not filed any suits, although a few are in the making, but the negotiating record, based on the legal power of an attorney has been excellent.

While the LSO cannot handle criminal cases, it is attempting to establish a referral system with attorneys in town for felonies. Advice given to students with criminal problems is unofficial, consisting primarily of the need for a lawyer if the student has a chance of acquittal.

The LSO will not handle cases arising between students (conflict of interests) or cases against the university, but it is negotiating with the university on general policies such as residency requirements, students' rights to privacy, and the university's power of search and seizure.

The main areas of service by the office have turned out to be landlord-tenant and consumer rights. Tom Gallmeyer and John Chappell have done extensive work and research in these fields. And while the university community can now rely on LSO as a normal service, it was only through the efforts of people like Dale Pryweller and Steve Backer that the program ever got started in the first place. Once started, LSO has become a valuable contribution by law students to the university.

PHI DELTA PHI

Phi Delta Phi legal fraternity has announced its new officers for 1971:

President: Jim Todderud
 Vice Pres: Bill Shattuck
 Treasurer: Rick Rembusch
 Secretary: Jacob Yoenkman
 Historian: Bob Bohrer

PDP sponsored the prison ride program to Pendleton and Terre Haute last month with approximately 30 students participating. The fraternity plans to provide the service again later this spring, hoping that any student who plans on handling criminal cases would take the time to visit a prison and to observe the conditions in which prisoners must live.

PDP held its annual picnic March 27, and among other things soundly trounced the faculty in a softball game, 17-7. It plans on pledging and initiating new members later this spring.

Other activities are planned for May, including a program in conjunction with the SBA where law students visit the local high schools to talk with the teenagers about anything that interests them.

LAW WIVES

For the past year the law wives have been meeting monthly and planning a new role for the organization. Tired of dealing entirely with unrelated areas of feminine interest, the wives have decided to become more involved with the law school by providing their services to other organizations in the school and presenting programs of their own.

Last month their spaghetti dinner proved a big success, both financially and socially. They plan to make this an annual fund raising event. This year the organization will award a needy law student a scholarship for next year worth \$150.

On May 6, Professor Pratter will speak to their last scheduled meeting of the school year, but they plan on having a picnic in late May or early June also. Average attendance at the meetings has doubled since September, but the organization will always welcome new members. Plans for next year call for both educational and social meetings.

Officers for the law wives are:

President: Lois Sheane
 Vice Pres: Susan Weir
 Treasurer: Willa Walker
 Secretary: Barbara Goldstein
 Hospitality Chairmen: Twerpy Stromberg

PRIZES AND AWARDS

The following is a list of prizes and awards given to law students for the Fall semester 1970-71.

1. American Jurisprudence Awards.

| <u>Name</u> | <u>Course</u> |
|------------------|-------------------------------|
| John Bodine | Evidence |
| Robert Long | Creditors Rights and Security |
| Stephen Sherman | Labor Law |
| Robert Gilmore | Administrative Law |
| Dirk de Roos | Trial Techniques |
| Proctor Robison | Torts §2 |
| Martin Klaper | Family Law |
| Wayne Witmer | Restitution |
| Harold Sonneborn | Constitutional Law |
| James Kemper | Corporations |
| William Skees | Trusts and Estates |
| Gerald Rodeen | Torts §2 |
| Joe Emerson | Torts §1 |

The American Jurisprudence Prize Award is given each year to the student who receives the highest grade in selected courses, and is made possible through the generosity of The Lawyers Cooperative Publishing Company. As an expression of this award, each person listed above will receive a certificate of award and a volume of American Jurisprudence.

2. Student Advocacy Award.

Dirk de Roos

The Student Advocacy Award is given each year to the student who received the highest grade in Trial Techniques Course, and is made possible through the generosity of International Academy of Trial Lawyers. As an expression of this award, Mr. de Roos will receive an engraved plaque.

3. Environmental Essay Contest.

Billy McDaniel

The Environmental Essay Award is given each year to the student who wrote the best essay and is made possible through the generosity of American Trial Lawyers Association. As an expression of this award, Mr. McDaniel will receive \$100.00.

WOMEN'S CAUCUS

Martha West

The Women's Caucus has decided to hold weekly meetings in room 214 at 12:30 on alternate Tuesdays and Thursdays (see list below) to discuss mutual concerns. All women connected with the Law School in any capacity are welcome. Coffee is provided. Bring your own lunch.

Thursday April 29
Tuesday May 4

Thursday May 13
Tuesday May 18

Comments:

THE CASE FOR A FLAT FEE

John Lobus

A few weeks ago a petition was posted on the bulletin board advocating tuition based on a flat fee rather than number of credit hours. The response of 130 signatures was disappointing, not only because it was another apparent indication of student apathy, but also because Dean Harvey could not rely on student support as a weapon in his fight for a more equitable price for legal education.

Last year the Dean approached Chancellor Carter with the proposal that the law school switch to a flat fee basis. The Chancellor did not reject the idea but suggested further study. When the AALS visited the school in October, Dean Harvey asked for their opinion on the matter. As reported in The Appeal in December, the committee unanimously endorsed the flat fee. The Dean again approached the Chancellor, but armed with the report. Inaction prevailed, and on March 16, the Dean again asked the Chancellor what action would be taken. Mr. Carter stated that he would bring the proposal before the Administrative Committee the first time President Ryan is able to attend. Naturally, had Dean Harvey been able to present affirmative backing by a substantial number of students, the chances for the flat fee might have been enhanced. They are not encouraging at the present time.

Why a flat fee? Two reasons are apparent: 1. The financial burden on the freshmen; and 2. Flexibility in upper class elections. Currently, freshmen pay tuition for 32 hours. With the flat fee it would be 24 hours. Upperclassmen pay \$27 (or \$62 for out-of-state) per credit hour for every extra hour they take, which necessarily inhibits a free choice of curriculum. Under a flat fee, a junior or senior would pay at a rate for 24 hours regardless of his course load.

This present educational cost is completely irrational when related to marginal costs of extra students in a class. It costs practically the same to present Criminal Procedure, for example, to 90 students as 100. Why should the students be penalized for seeking a broader legal education? Consider also that student tuition goes not to the law school, but directly to the University, and the law school receives appropriations from the University on a completely independent basis, with no direct relation to money received from our tuition. The law school receives the same appropriation to teach Criminal Procedure whether 90 students enroll or 100.

The law school is also faced next year with a 14% reduction in fellowship funds and the past privilege of granting in-state fees to out-of-state students on fellowships may be discontinued. This all adds up to a weak future for any student who must budget carefully, which should include almost

everyone. So the petition rate to the law school. It proved of no value. The Appeal will welcome any comment explaining why 75% of the student body felt it was unworthy of their signature.

I GOT DEM OLE FINAL WEEK KOZMIK BLACK AND BLUES

Bruce Wackowski

Unlike George Harrison, whose motto is, "All Things Must Pass," the Indiana University School of Law takes a slightly more restrictive view of who should enter the legal universe. The ritualistic and periodic method of determining exactly which aspirants will hallow that ground goes under the rubric of final week. It's not actually a week, but more like 12 days. While the extended time period may mean only an increased term on the rack for some, most would be forced to plead Non Compos Mentis if the preparation gap should suddenly close to 7 days.

The torture inflicted upon cerebellums during this time is beyond interpretation. Everywhere omens appear to warn the wary that the ~~ides~~ of May approach. One hears lamenting Freshmen arguing about whether or not Siamese twins have to bring a class action, as he wanders through the limestone sphinx. Somehow you know that the day after the Corporations Test everything is going to be nationalized. Your senses become numbed after endless hours of staring at legislative jabberwocky. You even acquiesce when the vending machine expropriates your money. The walking dead flow rhythmically in an academic daisy chain from the library, to the Gables, to the testing room, to Nick's, and back to the library.

All is silent in the testing room, except for the tiny popping noises of peptic ulcers, as students realize its Finitio if they fail to pass their Writ de Idiota Inquirendo. The sweaty palms, the bloodshot eyes and pallid complexions of the testees (no male chauvinism intended) would make a neutral observer feel a twinge of pity--if it were not for that well known maxim, Electio Est Interna Libera Et Spontanea Separatio Unis Rei Ab Alia, Sine Compulsione, Consistens In Animo Et Voluntate.

There must be some form of communication appropriate to allow us to accurately express the appreciation we feel toward our professors for providing the gentle spur of final week as an incentive in mastering the requisite material. How about a call on the Tucker Telephone?

The following article is reprinted with permission of GLAMOUR. It appeared in the April, 1971 issue of that magazine.

THE NEW PEOPLE

by Susan Braudy

"I'm still a structure freak. I really care about government. That's why I worked for McCarthy and Wayne Morse. As draft lawyers, we're not mowing down the system. We're changing and hurting it."

Barry Statlow, thirty, LLB, Yale, is finishing his tomato salad at the austere Yale Club in Manhattan. As an expert on draft and military law, Statlow makes somewhere over \$20,000 a year with a New York firm, and \$1 a year at the Columbia College draft information center. Moments before his tomatoes, Statlow had cut a figure among the pink-faced Brooks-Brothers-attired Yale elders, when he escorted a female

(a rare sort of visitor here) through the lobby. Satlow was wearing his wide-brimmed 1930's gangster hat, drooping mustache, and a huge neon-bright orange and yellow tie.

Barry Satlow is a member of a new breed of young lawyers who have decided to combine their youthful zeal with their law careers to make changes in our society. Like many of these lawyers, Barry is a student activist grown up. At the University of Pennsylvania in the early sixties he was controversial editor when the University suspended the student newspaper. Barry's back in a boxing crouch was displayed on front pages throughout the country during a confrontation with a conservative opponent, a football tackle nearly two feet taller than Satlow.

At Yale Law School, Barry helped put together a pamphlet about welfare and child payment rights called "The Poor Have Children." After working for a year on welfare payments and rent strikes at Mobilization For Youth, a federally-supported project on Manhattan's lower East Side, Barry took off to organize for McCarthy. He hit the road again a few months later to campaign for Wayne Morse.

More and more law students are rejecting worried corporate firms to try to use their legal training for what has become the more status-laden task of working for what they believe is greater social justice. They join poverty-program storefront ghetto offices, do part-time draft counseling, or defend Black Panthers and other members of the radical left. And they are not afraid to show their biases either. Says one radical lawyer, "I'm not objective at all. I'm not a eunuch. If I'm going to give of myself, I'll do it for people who share my beliefs."

Says one new breed lawyer, "Our bias shows more. But despite our critics, we're not all that different from Wall Street lawyers who share their beliefs with their corporate clients like Ford and AT&T. They defend a client's rights because they believe in the system and the client's money-making goals."

Barry Satlow works enthusiastically for people whose beliefs he shares. "The reason I'm doing draft and military law is simple -- I like it. I admire resisters, maybe conscientious objectors the most. I like beating the draft system the way stockbrokers like making money." At the Yale Club, Satlow is carrying an underlined paperback copy of James Kunen's book Strawberry Statement. He plans to attach pages from the book to Junen's conscientious objector application. Kunen and Satlow are planning a lengthy and costly Selective Service System case which challenges what Satlow calls denial of elementary due process to a potential draft-ee: he is usually not given any statement of reasons when his claim is turned down, not allowed to see his transcript or to have a lawyer with him at his hearing.

But Satlow has some careful reservations about how much he can do: "More than this, the draft laws are filled with inequities. So every time I get one of my paying clients off, some poor black or Italian guy from Queens or Brooklyn is inducted instead. But the system is so lawless that we have to push it, kick it and hit it, until it conforms to some small notion of lawfulness even in the context of this terrible war."

Bob Klein is a lawyer whose blue oxford-cloth shirt and longish hair don't make him look very different from any other prosperous young corporate Philadelphia lawyer. Ten years ago Bob might have used his sterling credentials (he graduated in the top third of his class at Harvard Law School) as a one-way ticket to financial prosperity.

But today, Bob -- whose Philadelphia firm, Meltzer and Schiffrin, specializes in real estate security, tax and corporate work -- spends 20 per cent of his week

on what he calls "the happy side of the movement." Recently Bob helped a group of black teenage gangs called "Mau-Mau Nation" incorporate themselves and get a tax exemption. "They are an amalgam of former gangs who used to be in perpetual war with each other, who got together and declared peace," Bob explains in his plush downtown office. "They wanted to set up a clubhouse in an abandoned movie theater near where they hang out. I did a little investigating and found that the building has been condemned by Redevelopment and that the guy who owns it is willing to lease it. Now I can go to Redevelopment and ask them to lease it for the kids."

Bob, whose corporate clients include three major Philadelphia apartment buildings and the construction loan department of a major city bank, also represents a free-wheeling group with Esalen-type interests called Synergy -- without fee.

Synergy, made up of psychologists, professional lawyers and planners and the Mau-Mau Nation, is welcoming the Bicentennial celebration to Philadelphia with a plan to make Philadelphia a two-year party. Several million dollars in federal funds will be poured into Philadelphia for the Bicentennial, and Synergy wants to have some say in how it's spent. With Bob's legal help on FHA mortgaging and financing, they have drawn a plan to take over and rehabilitate one block of ghetto housing in Center City -- making day-care centers, store front law and doctors' offices, and theaters.

Bob's law firm looks kindly on his extracurricular activities. "I dig the members of my firm," says Bob succinctly. "They have liberal convictions that I share."

But even many of the more conservative corporate firms are bending over backwards to encourage young lawyers to do more idealistic work that these firms sometimes don't approve of, in order to keep young talent. Wall Street firms previously accustomed to getting the cream of the young legal crop aren't attracting top lawyers.

Experts say the trend is permanent. Many young lawyers drift back into the establishment after brief stints with federal or independent projects, but Harvard professor Alan M. Dershowitz worries for Wall Street and corporate law. "All I have to say is that the Wall Street firms are simply going to have to learn to broaden their representation or they will not get the very best people."

Many of Bob Klein's "movement" cases are referred to him by the Philadelphia branch of the Lawyers' Guild. The Guild was founded in 1937 as a clearing house for people who needed political legal help that the American Civil Liberties Union could not give because ACLU felt these cases did not threaten a civil liberty. Lawyers' Guild membership sank to a few hundred during the McCarthy era. Today, the Guild membership numbers five thousand, swelled by an increasing number of student activists who choose law as a means to act out their desire for social change. Eighty per cent of Guild members are under thirty-two. The Guild automatically handles legal preparations for many demonstrations like the Pentagon March, 1968, the New Haven Panther rally last spring.

Guild secretary Eric Seitz graduated from Oberlin College and from Berkeley Law School last year. While at Oberlin, Eric, like many of the new lawyers-to-be, went south to help with voter registration. He spent Christmas of 1965 in Mississippi, helping to rebuild a bombed-out church. At Berkeley he worked with lawyers on the disciplinary student trials of members of the Free Speech Movement and on Panther defenses. He also taught two courses -- on selective service law and military law.

The new lawyer whose views more often coincide with those of his client than with his fellow lawyers' can have a clothing and decorum problem in court. A minority of these lawyers even make headlines by "disruptive" courtroom behavior to publicize what they believe are "political" injustices to their clients perpetrated by the legal system. But Eric Seitz wears dark-rimmed plastic glasses and short hair. Eric has thought a lot about just how much the lawyer should reveal in court about his sympathies with his clients' lifestyles. "I represent people in court-martial in front of military courts. I just wouldn't wear a beard in that situation and risk evoking the animosity of the judge."

The new lawyers are severely criticized by many of their elders and their contemporaries. They are accused of everything from misuse of the legal system to sloppy work habits. Larry Sager, twenty-nine, is an ACLU staff counselor on leave from teaching constitutional law at UCLA Law School. He says, "I am different from the present generation of law students. In law school I was tremendously enamored with manipulating sophisticated intellectual concepts. Students today are more impatient. They're more result-oriented, and many radicals are intolerant of the incubation period that law school represents. They want to change the system and get a tenant or a Panther his help fast and now."

Eric Seitz answers the charge of sloppy courtroom preparation that many lawyers level against the new breed. "I hear them criticized all the time for their lack of courtroom preparation work. But if you know you're working against a hostile judge and system, sometimes you just can't bring yourself to prepare an elaborate request that you know will be denied. I think you must prepare anyway. But I understand people who get discouraged."

The most extreme young lawyers around the country are making a strong commitment to experimental groups like New York's Law Commune located in a loft decorated with posters of Che Guevara rather than law diplomas, and located in the Village. The Law Commune was founded one and a half years ago by a small group of young lawyers including Carol Lefcourt. Carol, who at twenty-seven recently became a mother, looks more like a long-haired bookish teenager. At the law commune, she's researched and written briefs against the New York State abortion law, defended students and strike-breaking teachers when community control of schools was a burning issue, and presently is defending Panthers at the New York Panther trial.

Carol describes herself as having been a "square" high school student at Valley Stream, Long Island. In college at Penn State she did "liberal politics" including a model United Nations session where she met her husband, Bob also a commune member, though he is a writer not a lawyer.

Carol's disillusionment with the system started in law school. "In law school I realized what training lawyers was all about -- it's not about power and change but about the status quo."

Next to Carol's office is a tiny carpeted room which is the commune nursery for Carol's daughter, Jenny. Carol laughs, "I interview selective-service case guys while feeding the baby. They don't mind and she does enjoy the company."

Carol takes no salary from the law commune. Members take what they need for basic living expenses, and Carol's husband makes enough to support the family. The commune's financial mainstays are fees from criminal cases, middle-class draft resisters, and from popular culture stars like Abbie Hoffman. Many commune cases are handled without fee -- if the commune decides by group vote that they are politically vital enough. Explains Carol, "If a young Army deserter calls the commune and says he needs a lawyer because he wants AWOL to see his sick wife, he

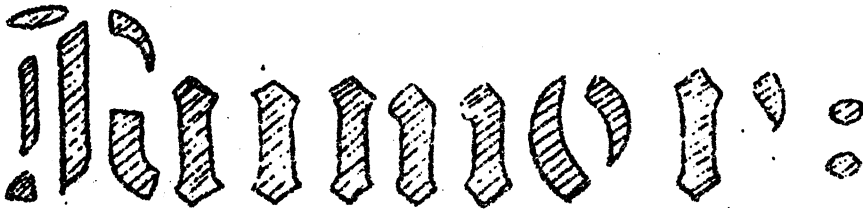
could find himself with a free lawyer if we find he's poor and he's been an activist with a GI underground newspaper or a coffeehouse."

The American Civil Liberties Union has been the traditional free defender of all people whose civil liberties were possibly being denied them because of their politics or beliefs. ACLU serves as a clearing house, referring the bulk of their cases to lawyers who work fulltime elsewhere. ACLU now numbers about 140,000 members and had an income last year of more than two million dollars.

But unlike the law commune which is committed to radical politics first, the ACLU bases its philosophy on a kind of political neutrality which involves a commitment to the Constitution. The ACLU has found unlikely bedfellows among its clients. ACLU lawyers have defended H. Rap Brown's freedom of speech and George Lincoln Rockwell's right to be buried in an Army cemetery.

Eleanor Holmes Norton, the young black Human Rights Commissioner of New York City, represented George Wallace and two white supremacy groups in court on ACLU assignments. She explained, "If I were in private practice, I would never represent racists. But as a civil libertarian, I believe any man has a right to say what he damn pleases."

At UCLA Law School, Larry Sager has seen radical students entering law in geometrically increasing numbers. They watch lawyers defending student activists and Panthers and feel they too can make changes as lawyers. He sits back in his chair in the bleak offices of ACLU and discusses his own political views. "I think I'm a long way from really being radical. Ultimately, though, I'm very critical of the system. Like most lawyers of the left, this leaves me in the very uncomfortable position of working within a system that I now know to be riddled with serious defects. But I've put my very wary faith in the system rather than alternatives."



A few weeks ago another blurry mimeograph announcement went up on the library bulletin board stating the time and place of the next meeting of the "Gedrunk and Gonaked Club." First year students have been wondering just what this club is all about. Is it an extra-legal activity of intellectualism, or another excuse for social drinking? Was it named after two common law writs, two former law profs or the keystone combination of the A.C.L.U. softball team? Because of these questions and others I tapped the phone and pieced together this mixed question of law and fact and fiction.

Sure enough, the club is named after two figures from I.U. Law School history and there is a story behind the club named after them. In the spring of 1917, Melvin Gedrunk and F. Lee Gonaked went to a local pub to talk over their final exams. Since they had just finished the test on German Civil Procedure (which was even more relevant then, since many farsighted profs feared the Germans would win the Great War and force their procedure on us) Gonaked thought he would have a glass of "Old Munich" beer. Gedrunk was a strange guy and not much of a drinker so Gonaked ordered him a Stroh's which was the favorite of Mr. Dream's (the Dean). (I said Gedrunk was strange. People called him crazy because even though he didn't drink, he had begun stockpiling cans of Schlitz, muttering something about "Prohibition.") Gedrunk was the first to speak: "Gonaked, how come everybody is sitting down?" F. Lee explained that State law, for strong policy reasons, prohibited anybody standing up and drinking in a bar. This astounded Gedrunk. Where he came from this was unheard of. (It's not certain, but it is thought that he came from Wiedeman beer country, where the Ohio meets the Wabash; however some feel he came from God's country where the LaCrosse meets the Wisconsin; others heard he was from the Land of Sky Blue Waters where the Warren Burger River meets the Stassen Reservoir; his Law School admissions form says he was from Busch country, where the Mississippi meets St. Louis.) Gedrunk, feeling his beer and feeling boisterous after exams, suggested to Gonaked that they break this law and take a lap around the tavern. (As he put it, "you only go round once in life") Gonaked told Gedrunk that people would stare at him. (Gonaked knew, however, that people were already staring at his friend. Gedrunk insisted on wearing clothes that he had seen on a Pabst Blue Ribbon commercial. He looked like he was dressed for a balloon launching and his clothes had been out of fashion since 1893.)

Before Gonaked could say anything or stop him, Gedrunk was up and dancing around with beer in his hands. The worst expectations of the legislature were realized. People began fighting and jumping around and going out of their heads. (In the swirl of action women sat at the bar, for instance) Gonaked had little time to enjoy his prank; before he knew it he was half unconscious and the waitress was dragging him out by his Hornbook. Photographer's snapped away as Gonaked was thrown out into the street. The resultant publicity enabled him to get a job as master of ceremonies on the Schoenling Beer all-night show. (Nor did Gonaked hold anything against the young waitress, a charmer from Falls City--he named his first girl Baby Ruth.)

As expected they were brought to speedy trial. In 1929, Gonaked, Gedrunck, and the bar owner were brought before Judge Sherman Moot. (The tavern owner was indicted for not having a parade permit but was dismissed because of insufficiency of mens rooma.) Judge Moot was then only a city magistrate but later was to go to become a designer and builder of many court rooms named after him and still later a mural painter in post offices for the WPA.

Gonaked by this time was a respected citizen. He was rich as a result of his and Gedrunck's Schlitz venture. He had since become a moot court instructor and was soon to become Head of Rehabilitation of Post War Germany. (He got this job because he had friends in both east and west Germany). Because he was so well known, Judge Moot was reluctant to try Gonaked and dismissed him. Popular sentiment was behind this (An I.D.S. editorial read: "Gedrunck maybe, but Gonaked, Never!")

Gedrunck, wearied by 12 years of pre-trial detention, was not as well known and was expecting the worst. With no lawyer and armed only with determination, a couple of yellowed copies of the Appeal and a hornbook ("Hawn on Hypos"), he faced the court. As he approached the bench a stuffed duck dropped down from the ceiling with a flash card on it, but he couldn't read the word and the duck was quickly gone. He began his appeal:

"Your honor, I believe this is an Eery question."

Judge Moot cut him short and sentenced him on the spot. Gedrunck was fined \$5.00 and tied to a team of Clydesdale horses and dragged around the courthouse (only once). He was then put in solitary confinement and forced to smoke marijuana cigarettes (this punishment was unheard of in those days).

Released one month later, Gedrunck could only say: "I demur." That is why the Law School's drinking club is named the Gedrunck and Gonaked Club.

Tom Clancy

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Letters:

Editor, The Appeal

I would like to thank the student body for their support of the symposium on current developments in environmental law held in the law school last February 26. All the speakers were very pleased with their reception. I deeply appreciate the large attendance; it is encouraging to those of us who would like to present the student more opportunities outside of the classroom to explore contemporary problems.

A. Dan Tarlock

Editor, The Appeal

In regards to your editorial of February, 1971, "Whither S.B.A., Indeed...", I take objection both personally and as a former member of the S.B.A. Indeed, I find part of it, at least, to be a blatant disregard of the fundamentals of responsible journalistic reporting. First, you infer that January graduates have been allowed to vote for the Gavel Award in past years, which according to my knowledge and that of other third year students, is incorrect. Secondly, the S.B.A. Executive Committee had already concerned itself with the subject in October of 1970, authorizing January graduates' participation at that time. Thirdly, you state that I "received no satisfaction from the organization and eventually persuaded the organization 'to fund to the extent of [my] postal expenditures.'" This is an irresponsible misstatement. I did, in fact, receive satisfaction from the S.B.A. President Boyle was most willing to see the January graduates vote. The fact that he asked me--an S.B.A. member with a vital interest in the subject matter--to conduct the ballot, is only indicative of good delegation of authority to get a job done. I know of no S.B.A. by-law which says that S.B.A. work must be done only by S.B.A. officers, without help from the membership. At no time did I have to "persuade the S.B.A." to fund to the extent of my postal expenditures"--they were ready to do that, and to furnish any other needed materials and/or help--from the beginning.

The fact then, is that the January graduates are going to be able to participate in the selection of the Gavel Award recipient this year--for the first time in at least several years--due to this year's S.B.A. It is too bad that the facts, as known to The Appeal, weren't put in your editorial.

James E. Heupel
J.D., 2/71

ANS: The editors deny the allegations, construing the facts in our editorial to be true at the time it was written.